

**Exhibit 4**

**FILED UNDER SEAL**

1 MILES EHRLICH (Bar No. 237954)  
miles@ramsey-ehrllich.com  
2 ISMAIL RAMSEY (Bar No. 189820)  
izzy@ramsey-ehrllich.com  
3 AMY CRAIG (Bar No. 269339)  
amy@ramsey-ehrllich.com  
4 RAMSEY & EHRLICH LLP  
803 Hearst Avenue  
Berkeley, CA 94710  
5 (510) 548-3600 (Tel)  
6 (510) 291-3060 (Fax)

7 UNITED STATES DISTRICT COURT  
8  
9 NORTHERN DISTRICT OF CALIFORNIA  
10  
11 SAN FRANCISCO DIVISION

11 WAYMO LLC,

12 Plaintiffs,

13 vs.

14 UBER TECHNOLOGIES, INC.;  
15 OTTOMOTTO LLC; OTTO TRUCKING  
16 LLC,

17 Defendants.

Case No.: 3:17-cv-00939-WHA

**NON-PARTY ANTHONY  
LEVANDOWSKI'S OBJECTIONS AND  
RESPONSES TO WAYMO'S JULY 17,  
2017 SUBPOENA TO PRODUCE  
DOCUMENTS, INFORMATION, OR  
OBJECTS OR TO PERMIT INSPECTION  
OF PREMISES IN A CIVIL ACTION**

19 Under Rule 45 of the Federal Rules of Civil Procedure, Anthony Levandowski, a non-  
20 party to this lawsuit, hereby provides the following objections and responses to the Subpoena to  
21 Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil  
22 Action (the "Subpoena") directed to Anthony Levandowski served by Plaintiff Waymo LLC  
23 ("Waymo"), dated July 17, 2017.

24 **I. GENERAL OBJECTIONS**

25 Mr. Levandowski specifically incorporates each of the following general objections into  
26 his responses to each of Waymo's document requests and topics for testimony, whether or not  
27 each such general objection is expressly referred to in Mr. Levandowski's response to a specific  
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1 request or topic.

2           1.       Mr. Levandowski objects to every request in Waymo's July 17, 2017 subpoena,  
3 Waymo's third subpoena to Mr. Levandowski for documents, as the requests in the Subpoena are  
4 neither relevant nor proportional to the needs of the case, and instead constitute a fishing  
5 expedition wholly unrelated to the claims at issue in Waymo's complaint. The Federal Rules of  
6 Civil Procedure limit the scope of discovery to that which is "relevant to any party's claim or  
7 defense and proportional to the needs of the case, considering the importance of the issues at  
8 stake in the action, the amount in controversy, the parties' relative access to relevant information,  
9 the parties' resources, the importance of the discovery in resolving the issues, and whether the  
10 burden or expense of the proposed discovery outweighs its likely benefit." Fed. R. Civ. P.  
11 26(b)(1). Mr. Levandowski objects to every request in the Subpoena as they purport to impose  
12 upon Mr. Levandowski duties or obligations inconsistent with the obligations imposed by the  
13 Federal Rules.

14           2.       Mr. Levandowski objects to any request to the extent that it is vague, overbroad,  
15 unduly burdensome, or oppressive, or to the extent it purports to impose upon Mr. Levandowski  
16 any duty or obligation that is inconsistent with or in excess of those obligations that are imposed  
17 by the Federal Rules of Civil Procedure or the Local Rules. The Federal Rules of Civil Procedure  
18 obligate the "court and the parties to secure the just, speedy, and inexpensive determination of  
19 every action and proceeding." Fed. R. Civ. P. 1 advisory committee's note. Mr. Levandowski  
20 will not comply with any attempt to impose obligations not required by the Federal and Local  
21 Rules.

22           3.       Mr. Levandowski objects to the Subpoena as overbroad and burdensome in that it  
23 fails to place any temporal limitation on the scope of the documents requested.

24           4.       Mr. Levandowski objects to any request to the extent it seeks information and  
25 documents protected from discovery under the attorney-client privilege, the work-product  
26 doctrine, the common-interest and joint-defense doctrine, and any other applicable privilege or  
27 doctrine.  
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1           5.       Mr. Levandowski objects to any instruction or request to the extent that it would  
2 impose a duty on Mr. Levandowski to undertake a search for, or an evaluation of, information,  
3 documents, or things for which Waymo is equally able to search for and evaluate, including  
4 documents that are publicly available, in the possession of parties to this litigation, and/or are  
5 already in the possession of Waymo.

6           6.       Mr. Levandowski objects to any request to the extent it seeks information and  
7 documents outside of Mr. Levandowski's possession, custody, or control. Documents possessed  
8 by another entity or person are not within the possession, custody, or control of Mr. Levandowski.

9           7.       Mr. Levandowski objects to any request that seeks confidential and/or proprietary  
10 information, as well as material impinging on the privacy interests of Mr. Levandowski.

11           8.       Mr. Levandowski objects to any request that seeks material protected from  
12 disclosure by Mr. Levandowski's Fifth Amendment privilege. The requests for documents here  
13 are so broad as to constitute a fishing expedition and would require Mr. Levandowski to make  
14 testimonial acts of production to make a document-by-document response. *See, e.g., United States*  
15 *v. Hubbell*, 530 U.S. 27 (2000).

16           9.       Mr. Levandowski objects to any request that seeks information that is subject to  
17 confidentiality or non-disclosure agreements with third parties.

18           10.      Mr. Levandowski objects to any request that seeks "all" documents relating to the  
19 subject matter of the request as overly broad, unduly burdensome, and oppressive when  
20 documents sufficient to show the requested information would satisfy any reasonable discovery  
21 need.

22           11.      Mr. Levandowski objects to each request and instruction to the extent that it is  
23 vague, ambiguous, and unclear.

24           12.      Mr. Levandowski objects to each request to the extent it requires disclosure from  
25 which Mr. Levandowski is entitled to seek protection due to annoyance, embarrassment,  
26 oppression, or undue burden and expense.

27           13.      Mr. Levandowski objects to each request and instruction to the extent they call for  
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1 legal conclusions in order to provide a response and/or produce documents or information.

2 14. Mr. Levandowski objects to each paragraph of the section labeled “Definitions”  
3 and to each and every request to the extent they purport to give meaning or legal significance to a  
4 document, fact, or purported fact whose meaning or significance is subject to dispute between the  
5 parties. Mr. Levandowski further objects to Waymo’s “Definitions” to the extent they (1) render  
6 any request vague, overbroad, or unduly burdensome; (2) seek information that is neither relevant  
7 to the subject matter of this litigation nor proportional to the needs of the case; or (3) impose  
8 obligations or demands on Mr. Levandowski beyond those contemplated by the Federal Rules of  
9 Civil Procedure and the applicable Local Rules.

10 15. Mr. Levandowski objects to each paragraph of the section labeled “Instructions” to  
11 the extent the instructions (1) render any request vague, overbroad, or unduly burdensome; (2)  
12 seek information that is neither relevant to the subject matter of this litigation nor reasonably  
13 calculated to lead to the discovery of admissible evidence; or (3) impose obligations and demands  
14 on Mr. Levandowski beyond those contemplated by the Federal Rules of Civil Procedure and the  
15 applicable Local Rules. Mr. Levandowski will not comply with any attempt to impose  
16 obligations not required by those rules.

17 16. Mr. Levandowski reserves the right to assert additional objections to Waymo’s  
18 requests, as appropriate.

## 19 20 **II. SPECIFIC OBJECTIONS TO DOCUMENT REQUESTS**

### 21 **REQUEST NO. 1:**

22 DOCUMENTS sufficient to show every PERSON who has ever had an ownership  
23 interest in BISMUTH, and the amount of that PERSON’s ownership interest.

### 24 **RESPONSE TO REQUEST NO. 1:**

25 Mr. Levandowski incorporates his General Objections above as though set forth in this  
26 response. Mr. Levandowski further objects to this request because it is not relevant to any party’s  
27 claim or defense, nor is it proportional to the needs of the case, and constitutes an improper  
28 fishing expedition. Mr. Levandowski objects to this request to the extent it seeks information and

1 documents protected from discovery under Mr. Levandowski's Fifth Amendment privilege, the  
2 attorney-client privilege, the work-product doctrine, the common-interest and joint-defense  
3 doctrine, and any other applicable privilege or doctrine. Mr. Levandowski objects to this request  
4 as vague, overly broad, and unduly burdensome, in that it contains no limitations as to time or the  
5 subject matter of this litigation. Mr. Levandowski objects to this request to the extent that it seeks  
6 confidential information.

7 **REQUEST NO. 2:**

8 All DOCUMENTS showing any financial or ownership interest that YOU have in  
9 BISMUTH.

10 **RESPONSE TO REQUEST NO. 2:**

11 Mr. Levandowski incorporates his General Objections above as though set forth in this  
12 response. Mr. Levandowski further objects to this request because it is not relevant to any party's  
13 claim or defense, nor is it proportional to the needs of the case, and constitutes an improper  
14 fishing expedition. Mr. Levandowski objects to this request to the extent it seeks information and  
15 documents protected from discovery under Mr. Levandowski's Fifth Amendment privilege, the  
16 attorney-client privilege, the work-product doctrine, the common-interest and joint-defense  
17 doctrine, and any other applicable privilege or doctrine. Mr. Levandowski objects to this request  
18 as vague, overly broad, and unduly burdensome, in that it contains no limitations as to time or the  
19 subject matter of this litigation. Mr. Levandowski objects to this request to the extent that it seeks  
20 confidential information.

21 **REQUEST NO. 3:**

22 DOCUMENTS sufficient to show all of BISMUTH's current and former trustees,  
23 members, directors, officers, employees, consultants, agents, and representatives.

24 **RESPONSE TO REQUEST NO. 3:**

25 Mr. Levandowski incorporates his General Objections above as though set forth in this  
26 response. Mr. Levandowski further objects to this request because it is not relevant to any party's  
27 claim or defense, nor is it proportional to the needs of the case, and constitutes an improper  
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1 fishing expedition. Mr. Levandowski objects to this request to the extent it seeks information and  
 2 documents protected from discovery under Mr. Levandowski's Fifth Amendment privilege, the  
 3 attorney-client privilege, the work-product doctrine, the common-interest and joint-defense  
 4 doctrine, and any other applicable privilege or doctrine. Mr. Levandowski objects to this request  
 5 as vague, overly broad, and unduly burdensome, in that it contains no limitations as to time or the  
 6 subject matter of this litigation. Mr. Levandowski objects to this request to the extent that it seeks  
 7 confidential information.

8 **REQUEST NO. 4:**

9 DOCUMENTS sufficient to show all payments, compensation, or transfers (whether  
 10 actual or conditional) made by BISMUTH to any PERSON.

11 **RESPONSE TO REQUEST NO. 4:**

12 Mr. Levandowski incorporates his General Objections above as though set forth in this  
 13 response. Mr. Levandowski further objects to this request because it is not relevant to any party's  
 14 claim or defense, nor is it proportional to the needs of the case, and constitutes an improper  
 15 fishing expedition. Mr. Levandowski objects to this request to the extent it seeks information and  
 16 documents protected from discovery under Mr. Levandowski's Fifth Amendment privilege, the  
 17 attorney-client privilege, the work-product doctrine, the common-interest and joint-defense  
 18 doctrine, and any other applicable privilege or doctrine. Mr. Levandowski objects to this request  
 19 as vague, overly broad, and unduly burdensome, in that it contains no limitations as to time or the  
 20 subject matter of this litigation. Mr. Levandowski objects to this request to the extent that it seeks  
 21 confidential information.

22 **REQUEST NO. 5:**

23 DOCUMENTS sufficient to show all payments, compensation, or transfers (whether  
 24 actual or conditional) made by any PERSON to BISMUTH.

25 **RESPONSE TO REQUEST NO. 5:**

26 Mr. Levandowski incorporates his General Objections above as though set forth in this  
 27 response. Mr. Levandowski further objects to this request because it is not relevant to any party's  
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claim or defense, nor is it proportional to the needs of the case, and constitutes an improper fishing expedition. Mr. Levandowski objects to this request to the extent it seeks information and documents protected from discovery under Mr. Levandowski's Fifth Amendment privilege, the attorney-client privilege, the work-product doctrine, the common-interest and joint-defense doctrine, and any other applicable privilege or doctrine. Mr. Levandowski objects to this request as vague, overly broad, and unduly burdensome, in that it contains no limitations as to time or the subject matter of this litigation. Mr. Levandowski objects to this request to the extent that it seeks confidential information.

**REQUEST NO. 6:**

All of BISMUTH's Declarations of Trust, INCLUDING without limitation the Declaration of Trust dated October 23, 2012.

**RESPONSE TO REQUEST NO. 6:**

Mr. Levandowski incorporates his General Objections above as though set forth in this response. Mr. Levandowski further objects to this request because it is not relevant to any party's claim or defense, nor is it proportional to the needs of the case, and constitutes an improper fishing expedition. Mr. Levandowski objects to this request to the extent it seeks information and documents protected from discovery under Mr. Levandowski's Fifth Amendment privilege, the attorney-client privilege, the work-product doctrine, the common-interest and joint-defense doctrine, and any other applicable privilege or doctrine. Mr. Levandowski objects to this request as vague, overly broad, and unduly burdensome, in that it contains no limitations as to time or the subject matter of this litigation. Mr. Levandowski objects to this request to the extent that it seeks confidential information.

**REQUEST NO. 7:**

All of BISMUTH's formation DOCUMENTS.

**RESPONSE TO REQUEST NO. 7:**

Mr. Levandowski incorporates his General Objections above as though set forth in this response. Mr. Levandowski further objects to this request because it is not relevant to any party's



1 claim or defense, nor is it proportional to the needs of the case, and constitutes an improper  
 2 fishing expedition. Mr. Levandowski objects to this request to the extent it seeks information and  
 3 documents protected from discovery under Mr. Levandowski's Fifth Amendment privilege, the  
 4 attorney-client privilege, the work-product doctrine, the common-interest and joint-defense  
 5 doctrine, and any other applicable privilege or doctrine. Mr. Levandowski objects to this request  
 6 as vague, overly broad, and unduly burdensome, in that it contains no limitations as to time or the  
 7 subject matter of this litigation. Mr. Levandowski objects to this request to the extent that it seeks  
 8 confidential information.

9 **REQUEST NO. 8:**

10 All COMMUNICATIONS between YOU and BISMUTH.

11 **RESPONSE TO REQUEST NO. 8:**

12 Mr. Levandowski incorporates his General Objections above as though set forth in this  
 13 response. Mr. Levandowski further objects to this request because it is not relevant to any party's  
 14 claim or defense, nor is it proportional to the needs of the case, and constitutes an improper  
 15 fishing expedition. Mr. Levandowski objects to this request to the extent it seeks information and  
 16 documents protected from discovery under Mr. Levandowski's Fifth Amendment privilege, the  
 17 attorney-client privilege, the work-product doctrine, the common-interest and joint-defense  
 18 doctrine, and any other applicable privilege or doctrine. Mr. Levandowski objects to this request  
 19 as vague, overly broad, and unduly burdensome, in that it contains no limitations as to time or the  
 20 subject matter of this litigation. Mr. Levandowski objects to this request to the extent that it seeks  
 21 confidential information.

22 **REQUEST NO. 9:**

23 All DOCUMENTS REGARDING BISMUTH.

24 **RESPONSE TO REQUEST NO. 9:**

25 Mr. Levandowski incorporates his General Objections above as though set forth in this  
 26 response. Mr. Levandowski further objects to this request because it is not relevant to any party's  
 27 claim or defense, nor is it proportional to the needs of the case, and constitutes an improper  
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1 fishing expedition. Mr. Levandowski objects to this request to the extent it seeks information and  
 2 documents protected from discovery under Mr. Levandowski's Fifth Amendment privilege, the  
 3 attorney-client privilege, the work-product doctrine, the common-interest and joint-defense  
 4 doctrine, and any other applicable privilege or doctrine. Mr. Levandowski objects to this request  
 5 as vague, overly broad, and unduly burdensome, in that it contains no limitations as to time or the  
 6 subject matter of this litigation. Mr. Levandowski objects to this request to the extent that it seeks  
 7 confidential information.

8 **REQUEST NO. 10:**

9 All COMMUNICATIONS between YOU and ALASKA.

10 **RESPONSE TO REQUEST NO. 10:**

11 Mr. Levandowski incorporates his General Objections above as though set forth in this  
 12 response. Mr. Levandowski further objects to this request because it is not relevant to any party's  
 13 claim or defense, nor is it proportional to the needs of the case, and constitutes an improper  
 14 fishing expedition. Mr. Levandowski objects to this request to the extent it seeks information and  
 15 documents protected from discovery under Mr. Levandowski's Fifth Amendment privilege, the  
 16 attorney-client privilege, the work-product doctrine, the common-interest and joint-defense  
 17 doctrine, and any other applicable privilege or doctrine. Mr. Levandowski objects to this request  
 18 as vague, overly broad, and unduly burdensome, in that it contains no limitations as to time or the  
 19 subject matter of this litigation. Mr. Levandowski objects to this request to the extent that it seeks  
 20 confidential information.

21 **REQUEST NO. 11:**

22 All DOCUMENTS REGARDING ALASKA.

23 **RESPONSE TO REQUEST NO. 11:**

24 Mr. Levandowski incorporates his General Objections above as though set forth in this  
 25 response. Mr. Levandowski further objects to this request because it is not relevant to any party's  
 26 claim or defense, nor is it proportional to the needs of the case, and constitutes an improper  
 27 fishing expedition. Mr. Levandowski objects to this request to the extent it seeks information and  
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documents protected from discovery under Mr. Levandowski's Fifth Amendment privilege, the attorney-client privilege, the work-product doctrine, the common-interest and joint-defense doctrine, and any other applicable privilege or doctrine. Mr. Levandowski objects to this request as vague, overly broad, and unduly burdensome, in that it contains no limitations as to time or the subject matter of this litigation. Mr. Levandowski objects to this request to the extent that it seeks confidential information.

**REQUEST NO. 12:**

All COMMUNICATIONS between YOU and Matthew Blattmachr.

**RESPONSE TO REQUEST NO. 12:**

Mr. Levandowski incorporates his General Objections above as though set forth in this response. Mr. Levandowski further objects to this request because it is not relevant to any party's claim or defense, nor is it proportional to the needs of the case, and constitutes an improper fishing expedition. Mr. Levandowski objects to this request to the extent it seeks information and documents protected from discovery under Mr. Levandowski's Fifth Amendment privilege, the attorney-client privilege, the work-product doctrine, the common-interest and joint-defense doctrine, and any other applicable privilege or doctrine. Mr. Levandowski objects to this request as vague, overly broad, and unduly burdensome, in that it contains no limitations as to time or the subject matter of this litigation. Mr. Levandowski objects to this request to the extent that it seeks confidential information.

**REQUEST NO. 13:**

All DOCUMENTS REGARDING Matthew Blattmachr.

**RESPONSE TO REQUEST NO. 13:**

Mr. Levandowski incorporates his General Objections above as though set forth in this response. Mr. Levandowski further objects to this request because it is not relevant to any party's claim or defense, nor is it proportional to the needs of the case, and constitutes an improper fishing expedition. Mr. Levandowski objects to this request to the extent it seeks information and documents protected from discovery under Mr. Levandowski's Fifth Amendment privilege, the

1 attorney-client privilege, the work-product doctrine, the common-interest and joint-defense  
2 doctrine, and any other applicable privilege or doctrine. Mr. Levandowski objects to this request  
3 as vague, overly broad, and unduly burdensome, in that it contains no limitations as to time or the  
4 subject matter of this litigation. Mr. Levandowski objects to this request to the extent that it seeks  
5 confidential information.  
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7 Dated: July 31, 2017

Respectfully Submitted,

8 /s/ Ismail Ramsey

9 Miles Ehrlich  
10 Ismail Ramsey  
11 Amy Craig  
12 Ramsey & Ehrlich LLP  
13 803 Hearst Ave.  
14 Berkeley, CA 94710  
15 Tel: (510) 548-3600  
16 *Counsel to Non-Party Anthony Levandowski*  
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